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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,234	01/26/2005	Masayuki Nakamura	450100-05085	6513
22852	7590	10/05/2006	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			ULRICH, NICHOLAS S	
			ART UNIT	PAPER NUMBER
			2112	

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/523,234	NAKAMURA ET AL.
	<b>Examiner</b> Nicholas S. Ulrich	<b>Art Unit</b> 2100 212

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 26 January 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-12 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-12 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 26 January 2005 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date 1/26/05

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

1. Claims 1-12 are pending in the application.

### ***Specification***

2. The abstract of the disclosure is objected to because it exceeds the maximum length of 150 words. Correction is required. See MPEP § 608.01(b).

3. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code (Page 14 line 25). Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

4. The use of the trademark Bluetooth has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

### ***Claim Objections***

5. Claims 2, 6, and 10 are objected to because of the following informalities: The use of the word "ones" should read "one". Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 2,3,6,10 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "said individual clusters". There is insufficient antecedent basis for this limitation in the claim. The limitation is interpreted as "an individual clusters".

Claim 3 recites the limitation "said specific cluster discriminating means". There is insufficient antecedent basis for this limitation in the claim. The limitation is interpreted as "a specific cluster discriminating means".

Claim 3 recites the limitation "said display elements". There is insufficient antecedent basis for this limitation in the claim. The limitation is interpreted as "display elements"

Claim 6 recites the limitation "said individual clusters". There is insufficient antecedent basis for this limitation in the claim. The limitation is interpreted as "individual clusters".

Claim 6 recites the limitation "said respective clusters". There is insufficient antecedent basis for this limitation in the claim. The limitation is interpreted as "respective clusters".

Claim 10 recites the limitation "said individual clusters". There is insufficient antecedent basis for this limitation in the claim. The limitation is interpreted as "individual clusters".

Claim 10 recites the limitation "said respective clusters". There is insufficient antecedent basis for this limitation in the claim. The limitation is interpreted as "respective clusters".

Claim 11 recites the limitation "said individual clusters". There is insufficient antecedent basis for this limitation in the claim. The limitation is interpreted as "individual clusters".

#### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1,3-5,7-9,11 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen (US 2004/0103371).

**Claim 1**

Chen discloses a Web-enabled electronics apparatus (pg 9 paragraph 0098) characterized by including:

a Web page acquiring means (Fig 2) for acquiring a first Web page including at least a headline (Fig 7) and a body of story (Fig 7) related to the headline (Fig 2 and pg 2 paragraph 0025);

and a Web page reconstructing means for extracting said body of story from said first Web page acquired by said Web page acquiring means to create a second Web page including this body of story (pg 7 paragraph 0075: *It is inherently shown in Chen's disclosure that the newly created sub-page is the second created web page which contains the body of the story*),

and extracting said headline from said first Web page to create a third Web page including this headline and provided with a link to said second Web page (pg 7 paragraph 0072 lines 8-13 and pg 8 paragraph 0085 to 0087: *The local index page created in Chen's disclosure is inherently the same as the creation of the third web page which includes links to the created sub-page or second web-page. Chen discloses if the content is in text format (which the title will be) then a summarization utility can be run to produce the content text which inherently is the same as extracting the headline*).

**Claim 3**

Chen discloses specific cluster discriminating means determines a vertical line on a page which crosses a largest number of said display elements as a center-of-gravity line, judges layout features of the individual clusters from at least any of leftward, rightward, middle, using this determined center-of-gravity line as a reference, and discriminates clusters with a feature thereof judged as being middle from the other clusters as the clusters of said headline and of said body of story (*pg 3 paragraph 0033 to pg 4 paragraph 0039, Fig 4, and pg1 paragraph 0012*).

**Claim 4**

Chen discloses body of story includes a list of links to articles belonging to said headline (*pg 8 paragraph 0082: Chen describes the use of 'inter' and 'intra' hyperlinks use within each created sub-page*).

**Claim 5**

Chen discloses a Web page processing method for a Web-enabled electronics apparatus (*pg 9 paragraph 0098*) having a processing/computation section and a display section for displaying Web pages, said Web page processing method includes:

a step of acquiring a first Web page including at least a headline (*Fig 7*) and a body of story (*Fig 7*) related to this headline through a network (*Fig 2 and pg 2 paragraph 0025*);

a step of extracting said body of story from the acquired first Web page by processing/computing by said processing/computation section to create a second Web page including this body of story (*pg 7 paragraph 0075: It is inherently shown in Chen's*

*disclosure that the newly created sub-page is the second created web page which contains the body of the story);*

and a step of extracting said headline from said first Web page by processing/computing by said processing/computation section to create a third Web page including this headline and provided with a link to said second Web page (pg 7 paragraph 0072 lines 8-13 and pg 8 paragraph 0085 to 0087: *The local index page created in Chen's disclosure is inherently the same as the creation of the third web page which includes links to the created sub-page or second web-page. Chen discloses if the content is in text format (which the title will be) then a summarization utility can be run to produce the content text which inherently is the same as extracting the headline).*

**Claim 7**

Chen discloses processing/computation section determines a vertical line on a page which crosses a largest number of the display elements as a center-of- gravity line, judges layout features of the individual clusters from at least any of leftward, rightward, middle, using this determined center-of-gravity line as a reference, and discriminates clusters with a feature thereof judged as being middle from the other clusters as the clusters of the headline and of the body of story (pg 3 paragraph 0033 through pg 4 paragraph 0039 and Fig 4).

**Claim 8**

Chen discloses the Web page processing method of a Web-enabled electronics apparatus claimed in Claim 5, characterized in that said body of story includes a list of

links to articles belonging to said headline (pg 8 paragraph 0082: *Chen describes the use of 'inter' and 'intra' hyperlinks use within each created sub-page*).

**Claim 9**

Chen discloses a program characterized by causing a computer to function as:  
a Web page acquiring means (*Fig 2*) for acquiring a first Web page including at least a headline (*Fig 7*) and a body of story (*Fig 7*) related to the headline (*Fig 2 and pg 2 paragraph 0025*);

and Web page reconstructing means for extracting said body of story from said first Web page (*Fig 7*) acquired by said Web page acquiring means to create a second Web page including this body of story (pg 7 paragraph 0075: *It is inherently shown in Chen's disclosure that the newly created sub-page is the second created web page which contains the body of the story*),

and extracting said headline from said first Web page to create a third Web page including this headline and provided with a link to said second Web page (pg 7 paragraph 0072 lines 8-13 and pg 8 paragraph 0085 to 0087: *The local index page created in Chen's disclosure is inherently the same as the creation of the third web page which includes links to the created sub-page or second web-page. Chen discloses if the content is in text format (which the title will be) then a summarization utility can be run to produce the content text which inherently is the same as extracting the headline*).

**Claim 11**

Chen discloses specific cluster discriminating means causes the computer to function as means for determining a vertical line on a page which crosses a largest number of said display elements as a center-of-gravity line, judging layout features of said individual clusters from at least any of leftward, rightward, middle, using this determined center-of-gravity line as a reference, and discriminating clusters with a feature thereof judged as being middle from the other clusters as the clusters of said headline and of said body of story (*pg 3 paragraph 0033 to pg 4 paragraph 0039 and Fig 4*).

**Claim 12**

Chen discloses body of story includes a list of links to articles belonging to said headline (*pg 8 paragraph 0082: Chen describes the use of 'inter' and 'intra' hyperlinks use within each created sub-page*).

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 2, 6, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (US 2004/0103371) and further in view of Ouchi Shigeki (JP 2000-148788).

**Claim 2**

Chen discloses the Web-enabled electronics apparatus as claimed in Claim 1, characterized in that said Web page reconstructing means includes:

display element position judging means for internally depicting said first Web page and judging positions of individual display elements on said first Web page on the basis of this depicted data (*Pg 2 paragraph 0025 and Fig 2: Chen discusses how the web page request is made by the requestor and before a web page is displayed by the requestor, visual boundary methods are applied to the requested web page. It is inherently shown that the web page is first depicted internally to perform the judging positions or visual boundary methods.* Pg 4 paragraphs 0047 through 0056: *Chen discloses the means for visual boundary detection which is used for judging positions of individual display elements);*

cluster classifying means (*Pg 5 paragraph 0055 lines 1-4 and pg 5 paragraph 0060*) for connecting closely related ones of said individual display elements in terms of layout together on the basis of said judged positions of said display elements for classification into several clusters (*Pg 5 paragraph 0060: Chen inherently shows the means for using cluster techniques for connecting closely related individual display elements in terms of layout*);

specific cluster discriminating means (*Pg 6 paragraph 0065-0066*) for detecting layout features of said individual clusters and discriminating clusters of said headline (*Fig 7 block 708*) and of said body of story (*Fig 7 blocks 706a1-3, 706b1-3, and 706c1-3*) on said first Web page from the other clusters on the basis of a result of this feature detection (*pg 3 paragraph 0033 to pg 5 paragraph 0056, pg 6 paragraph 066 and figure*

*7: Chen discusses his means for determining the layout of the particular page and goes on to discusses creating sub-blocks from the already determined web page fragments which results in a sub-page for the title of the fragment (708) and the body of the fragment (706a1-3, 706b1-3, and 706c1-3) by using boundary detection);*

*and means for forming groups each including clusters having a same character attribute which is a display element (Pg 6 paragraph 0063: after classifying the individual display elements into nodes Chen discloses discriminating means to classify the different clusters based on size, color and tag properties which inherently shows forming groups with having a same attribute which is a display element),*

Chen fails to disclose "calculating an average of numbers of characters within the respective clusters included in each of the groups, and determining a group having a high average as said body of story and a group having a low average as said headline, as to said discriminated clusters of said headline and of said body of story". However Ouchi Shigeki discloses the above limitation in paragraph 0040. It would have been obvious to one skilled in the art at the time the invention was made to combine the teaching of Ouchi Shigeki into Chen's disclosure. By determining the number of characters in a cluster it would be easy to distinguish between title and body of story.

#### **Claim 6**

Chen discloses the Web page processing method of a Web-enabled electronics apparatus as claimed in Claim 5, characterized in that  
said processing/computation section internally depicts said first Web page, judges positions of individual display elements on said first Web page on the basis of

this depicted data (*Pg 2 paragraph 0025 and Fig 2: Chen discusses how the web page request is made by the requestor and before a web page is displayed by the requestor, visual boundary methods are applied to the requested web page. It is inherently shown that the web page is first depicted internally to perform the judging positions or visual boundary methods. Pg 4 paragraphs 0047 through 0056: Chen discloses the means for visual boundary detection*);

connects closely related ones of said individual display elements in terms of layout together on the basis of the judged positions of said display elements for classification into several clusters (*Pg 5 paragraph 0060: Chen inherently shows the means for using cluster techniques for connecting closely related individual display elements in terms of layout*);

detects layout features of said individual clusters and discriminate clusters of said headline (*Fig 7 block 708*) and of said body of story (*Fig 7 blocks 706a1-3, 706b1-3, and 706c1-3*) on said first Web page from the other clusters on the basis of a result of this feature detection (*pg 3 paragraph 0033 to pg 5 paragraph 0056, pg 6 paragraph 066 and figure 7: Chen discusses his means for determining the layout of the particular page and goes on to discusses creating sub-blocks from the already determined web page fragments which results in a sub-page for the title of the fragment (708) and the body of the fragment (706a1-3, 706b1-3, and 706c1-3) by using boundary detection*);

forms groups each including clusters having a same character attribute which is a display element (*Pg 6 paragraph 0063: after classifying the individual display elements into nodes Chen discloses discriminating means to classify the different*

*clusters based on size, color and tag properties which inherently shows forming groups with having a same attribute which is a display element);*

Chen fails to disclose “calculating an average of numbers of characters within the respective clusters included in each of the groups, and determining a group having a high average as said body of story and a group having a low average as said headline, as to said discriminated clusters of said headline and of said body of story”. However Ouchi Shigeki discloses the above limitation in paragraph 0040. It would have been obvious to one skilled in the art at the time the invention was made to combine the teaching of Ouchi Shigeki into Chen’s disclosure. By determining the number of characters in a cluster it would be easy to distinguish between title and body of story.

**Claim 10**

Chen discloses the program as claimed in Claim 9, characterized in that said Web page reconstructing means causes the computer to function as:

display element position judging means for internally depicting said first Web page and judging positions of individual display elements on said first Web page on the basis of this depicted data (*Pg 2 paragraph 0025 and Fig 2: Chen discusses how the web page request is made by the requestor and before a web page is displayed by the requestor, visual boundary methods are applied to the requested web page. It is inherently shown that the web page is first depicted internally to perform the judging positions or visual boundary methods. Pg 4 paragraphs 0047 through 0056: Chen discloses the means for visual boundary detection*);

cluster classifying means for connecting closely related ones of said display elements in terms of layout together on the basis of the judged positions of said display elements for classification into several clusters (*Pg 5 paragraph 0060: Chen inherently shows the means for using cluster techniques for connecting closely related individual display elements in terms of layout*);

specific cluster discriminating means (*Pg 6 paragraph 0065-0066*) for detecting layout features of said individual clusters and discriminating clusters of said headline (*Fig 7 block 708*) and of said body of story (*Fig 7 blocks 706a1-3, 706b1-3, and 706c1-3*) on said first Web page from the other clusters on the basis of a result of this feature detection (*(pg 3 paragraph 0033 to pg 5 paragraph 0056, pg 6 paragraph 066 and figure 7: Chen discusses his means for determining the layout of the particular page and goes on to discusses creating sub-blocks from the already determined web page fragments which results in a sub-page for the title of the fragment (708) and the body of the fragment (706a1-3, 706b1-3, and 706c1-3) by using boundary detection)*);

and means for forming groups each including clusters having a same character attribute which is a display element (*Pg 6 paragraph 0063: after classifying the individual display elements into nodes Chen discloses discriminating means to classify the different clusters based on size, color and tag properties which inherently shows forming groups with having a same attribute which is a display element*),

Chen fails to disclose “calculating an average of numbers of characters within the respective clusters included in each of the groups, and determining a group having a high average as said body of story and a group having a low average as said headline,

as to said discriminated clusters of said headline and of said body of story". However Ouchi Shigeki discloses the above limitation in paragraph 0040. It would have been obvious to one skilled in the art at the time the invention was made to combine the teaching of Ouchi Shigeki into Chen's disclosure. By determining the number of characters in a cluster it would be easy to distinguish between title and body of story.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas S. Ulrich whose telephone number is 571-270-1397. The examiner can normally be reached on M-F 7:30 - 5:00 EST Off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chamelei Das can be reached on 571-272-3696. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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